

PC-0044 C/P

REMARKS

Applicants have canceled claims 13-20 without prejudice to renewal and reserve the right to prosecute these non-elected claims in subsequent divisional applications. Applicants have amended claims 1, 2, 7, and 10 to clarify the invention. Support for the amendment of claim 10 is found on page 35, lines 10-22, of the specification. No new matter has been added by these amendments to the claims.

CONCLUSION

If there are any questions regarding the election, the Examiner is invited to call Applicants' Agent at (650) 845-4159. Applicants believe that no fee is due; however, if the USPTO determines that a fee is due, the Commissioner is authorized to charge Incyte Genomics Deposit Account No. 09-0108.

Respectfully submitted,
INCYTE GENOMICS, INC.

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"VERSION WITH MARKINGS TO SHOW CHANGES MADE"

IN THE CLAIMS

Please amend claims 1, 2, 7, and 10 as shown below.

1. (Once Amended) An isolated cDNA comprising a nucleic acid sequence encoding the amino acid sequence of [selected from] SEQ ID NO:1 [-6] or the [a] complement of the encoding nucleic acid sequence.
2. (Once Amended) An isolated cDNA comprising the [a] nucleic acid sequence of SEQ ID NO:7 [selected from:
 - a) SEQ ID NOs:7-12 and the complement thereof;
 - b) a fragment of SEQ ID NOs:7-12 selected from SEQ ID NOs:13-52 and the complements thereof; and
 - c) a variant of SEQ ID NOs:2 selected from SEQ ID NOs:53-74 and the complements thereof].
7. (Once Amended) A method for using a cDNA to detect differential expression of a nucleic acid in a sample comprising:
 - a) hybridizing the cDNA of claim 1 to the nucleic acids of the sample thereby forming at least one hybridization complex; and
 - b) detecting complex formation, wherein complex formation indicates differential expression of a nucleic acid complementary to the cDNA in the sample.
10. (Once Amended) The method of claim 7 wherein hybridization complexes are compared to at least one standard and are diagnostic of follicular carcinoma of the thyroid [a squamous cell carcinoma].